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## INTRODUCTION

The Darras Hall Estate came into being in 1907 following the purchase at auction of three farms, Little Callerton, Darras Hall Farm and Callerton Moor Farm, in total 1,014 acres representing the area known today as Darras Hall Estate. The area was well known as poor wet farmland with heavy clay subsoil positioned on the north facing slope of Callerton Fell and into the valley of the River Pont.

In 1910, a group of local landowners and businessmen created the concept of a residential estate. Joseph W Wakinshaw (one of the founders of the Trust Deed) had the vision for the potential development of the “railway” and introduction of the “motor vehicle”. These changes would allow families to reside away from the city boundaries into greener locations. During this period the Northern Allotment Society had already created 14 smaller estates around Tyneside to help people live in a more rural surrounding rather than in long streets of terraced houses and flats built near to factories or shipyards. In those early days, a number of mistakes were made concerning the layout and design of both houses and gardens. This experience allowed for better planning when it came to Darras Hall and the forming of the Trust Deed.

The Trust Deed which was first published on 01 November 1910 is still in place and its terms remain enforceable. The Deed with this set of Byelaws lays out rules designed to maintain the rural nature of the Estate. **All owners are bound by the provisions of the Trust Deed and its Fourth Schedule, which is a “Form of Conveyance” and legally enforceable when a purchase of land or property within the Estate is made.**

Darras Hall Estate is often referred to as the “Garden City of the North” containing some of the most sought after properties in the North East of England. It is the duty of all owners to ensure that Darras Hall Estate continues to maintain this situation.

The Estate has to develop and change with the times yet it is bound by the original terms of the Trust Deed. It is important that it maintains its premier status and we should all consider developments that ensure the overall rural ambience of the Estate is maintained. Careful consideration should be given to the preservation of trees and boundary hedges in order to preserve and enhance the environment in which we live.

The Trust Deed is managed by Trustees and voluntary elected Committee Members. This original Deed is as binding today as it was when it was formed in 1910. The document sets out in detail what property owners may and may not be allowed to do on the Estate. Any changes or development of a property, including garden sheds, boundary fencing and entrances must have the consent of the Darras Hall Committee even if Northumberland County Council have approved them.

**The validity of the TRUST DEED has been tested in the courts and has been upheld.** If the Committee is aware of any non-compliance to the Byelaws, they will take necessary immediate action and will write to the owner and if there is no adequate response, they will record a “Breach of Covenant” on the property concerned and in some instances take legal action with a view to demolition.

This "Breach of Covenant" means that:-

- No plans for development of the property will be considered by the Committee whilst the Breach is in place.
- The owner will find it very difficult to sell their property, as a search will show that there is such a Breach.
- The Committee, will, in certain circumstances, take legal action which may include applying for a court injunction to ensure that the corrective action is taken to comply with the Trust Deed and Byelaws.

The Committee is the custodian of the Trust Deed and Byelaws and would encourage owners to visit the Estate Office to ask for advice to discuss any development which they are planning. The Estate Officer will offer guidance in order to help owners to develop their plans in accordance with the Trust Deed and Byelaws.

In the future, it is in everyone's interest to reduce the carbon footprint and the Committee support that aim in principle, but insist that any external eco friendly energy saving technology complies with the concept of the Trust Deed.

- New builds will incorporate these features in the planning application.
- Existing properties considering the use of such technology must comply with current Byelaws and will be required to submit their request/s for consideration by the Committee.

## BYELAWS – GENERAL NOTES

These General Notes, the Notes on Byelaws part A, B and C and the extracts from the Trust Deed are for assistance and guidance only, and do NOT form part of the Byelaws.

These Byelaws apply to all properties within the boundaries of the Darras Hall Estate. Building lines are taken from the front legal boundary as defined on property Deeds, not from the edges of pavements or roads adopted by a Local Authority.

- a. Any amendments to these Byelaws take effect from the date of the Committee's resolution but will not invalidate any approval previously given in writing by the Committee in respect of any building or erection.
- b. Plans should be submitted together with the other required particulars as stated on the application form.

**This MUST include the notification on any proposed or past demolition.**

A separate submission should be made for roads under Part A of the Byelaws.

**Copies of the form are available from the Estate Office.**

- c. The original roads shown on the Trust Deed plan are Runnymede, Darras, Middle Drive, Edge Hill, Eastern Way, Whinfell, Woodside, The Rise, Western Way, Moor Lane and Broadway.
- d. The building line indicated on the Trust Deed plan in respect of the above roads is 15.24 metres, except for the north side of Edge Hill which is 12.19 metres, the north side of Runnymede Road and part of Lots 4, 5, 8, 9, 10, 11 and 12 which is 9.14 metres, also Broadway for which no building line is indicated.
- e. The building line for any other road is determined by the Committee. Details are available in the Estate Office. Building lines of adjacent properties must be taken into consideration and are at the discretion of the Committee.
- f. The Committee will endeavour to notify all abutting owners and those immediately opposite when plans are submitted for new buildings, alterations or erections. Representations received by the date indicated on the notifications will be considered by the Committee before making a final decision. Notification by the Committee will not normally be given for greenhouses, garden sheds and boundary walls and fences to which Byelaws 11 and 13 refer, nor will notification be given in respect of alterations and extensions of any existing building or erection, unless these materially affect the lands of abutting or opposite owners. The Committee does not usually enter into correspondence with parties making representations but they may be informed of the Committee's decision on enquiry at the Estate Office after the applicant has been notified.

- g.** The piping, enclosing or the diversion in any way of any stream or water course are works for which the consent of the Environment Agency and the Darras Hall Estate Committee is required under Clause 11 of the First Schedule referred to in the Fourth Schedule of the Trust Deed.
- h.** The parking of a caravan on land not being the site of an existing dwelling would not be considered to be a breach of Clause 5 of the First Schedule aforementioned. The parking of a caravan within the site of an existing dwelling is not considered to be a building or erection for which approval is required but indiscriminate parking and the use for habitation may be considered a nuisance under clause 8 of the First Schedule. No caravan may be parked permanently between the front building line and legal road frontage boundary.
- i.** The Committee has total discretion when reviewing any proposed building or structure which will be considered on its own merits and not on any precedent that may be quoted as an example, reference High Court ruling 2001.
- j.** Any proposed impervious surface over five square metres requires the permission of Northumberland County Council Planning Department. Owners should limit the area of all types of hard landscaping to the front of properties to allow for large areas of soft landscaping schemes.
- k.** Renewable energy applications must be given approval by the Committee.

## **BYELAWS · PART A – ROADS AND FOOTPATHS**

For regulating the level width and construction of roads and footpaths on the Estate and the provision of adequate drainage

### Unadopted Roads:-

1. Roads to which more than 2 dwellings will have access shall be constructed at levels and to the standard required by the appropriate highway authority for adoption as a highway maintainable at public expense.
2. All roads shall be provided with adequate drainage to a surface water sewer and satisfy the requirements of the appropriate water and sewerage authority.
3. Roads to which the specified number of dwellings will have or may have access shall be at least the width as hereunder:

<u>No. of dwellings</u>	<u>Overall width of road</u>	<u>Carriageway width</u>
2 or over	9.1 metres	5.5 metres

4. Roads to which 2 or more dwellings will have or may have access and which have a junction with a road shown on the Trust Deed plan (see General Notes (c)) shall have a width for sight-lines formed by lines from a point on the center line of the carriageway of the said new road 17.0 metres from its intersection with the carriageway edge of the road shown on the Trust Deed plan to points 34.0 metres along the carriageway edge of this latter road from the carriageway edge of the said new road.
5. Roads having a junction with another road not being a road shown on the Trust Deed plan OR roads to which not more than 2 dwellings will have access shall have a width for sight lines as approved by the local Highway Authority.
6. A footpath not forming part of a road shall be constructed at levels and to the width and standard required by the local highway or footpath authority for adoption as a footpath maintainable at public expense.

### Adopted Roads:

7. Adopted roads on the Estate come under the jurisdiction of Highways Department, Northumberland County Council.

## NOTES ON PART A

- a. The Committee requires unadopted roads to which not more than 2 dwellings will have access to be situated at least 6.1 metres from any existing buildings.

All other unadopted roads must be situated at a distance from any existing building equal to the approved building line for the said road.

The applicant will be required to obtain the consent in writing of any abutting owner whose lands may be affected by the building line aforementioned.

- b. Any works to a drive being a private approach to a dwellinghouse to provide a road to which two or more dwellings will have access requires the approval of the Committee.
- c. When sub-dividing a plot, the access road is not included in the plot size.
- d. Plans submitted under Part A should be to a minimum scale of 1:100 and must show the widths of carriageways, footpaths and verges. In addition contour lines or spot heights must be shown relative to the road and adjacent land.

The dimensions in respect of sight lines must be indicated together with the proposed building line and the distance of the road from any abutting boundaries and existing adjacent buildings.

The provision for drainage must be shown together with proposed connections to a surface water sewer.

If approval has not yet been granted for the division of the land into individual sites then the boundary dimensions must be indicated together with the individual site areas and respective widths at the building line.

Where an existing plot is to be divided, the Committee will require, prior to consideration of plans for any development on any part of such plot, a signed certificate from a Chartered Surveyor [who is independent of (i) the applicant and his/her Architect or (ii) any local Estate Agent] to substantiate that the actual site area(s) for ALL parts of that existing plot maintain the minimum space requirements detailed in these Byelaws and/or the Darras Hall Estate Trust Deed.

## **BYELAWS · PART B – BUILDINGS AND STRUCTURES**

Each application will be assessed on its own merits in accordance with the Byelaws and street scene. For regulating the erection and alteration of buildings or structures on the Estate and the employment therein of suitable and good materials of proper dimensions.

8. No building or structure, including greenhouses, conservatories, sheds, fences, walls, decking and similar structures, shall be erected or altered unless the required plans have been submitted to and approved in writing by the Committee.
9. No building, structure or part thereof (including overhanging roof line) of any kind (excepting verandahs, porches, bay windows, chimneys) shall be erected:-
  - a. On any portion of land, which lies, between the approved building line or lines and the road or roads to which the building has access or frontage.
  - b. To the rear of another site, which has a frontage to the same road unless it is, situate at least a distance equal to the approved building line for the said road from the boundary of the other site.
  - c. Within 17.0 metres of any boundary opposite to the building line, except for buildings referred to in Byelaws 11 and 14.
  - d. Within 15% of the plot width at the building line of any other boundary or 3.0 metres, whichever is the greater, except for buildings referred to in Byelaw 11.
  - e. Unless the site has a minimum width of 18.0 metres at the approved building line or at the line on which the building is to be erected.
10. (i). Where an existing site is to be divided, the Committee will require, prior to consideration of plans for any development on any part of such site, notification of any proposed demolition, together with a signed certificate from an Independent Chartered Surveyor to substantiate that the actual site area(s) for ALL parts of that existing site maintain the minimum space requirements detailed in these Byelaws and/or the Darras Hall Estate Trust Deed.
  - (ii). In order to retain and preserve the character of Darras Hall, future development of and extensions to each site are to be restricted to a living area projected to the ground (including conservatories, integral garages, detached garages and outbuildings which are within 3.0 metres – at the nearest point – of the main residence range) NOT exceeding 20% of the site area up to a maximum of 280 square metres, provided that the proposed structure complies otherwise with all Byelaws. Discretion is available to the Committee on sites over 0.75 acre.
  - (iii). When application is made to demolish an existing property and rebuild same, then to ensure compliance with Byelaw 9(d), an existing wall of the existing property may not be left standing (for example; a garage wall) in order to avoid compliance with the minimum side boundary distances.
    - a. The overall height of a bungalow (normally taken as the ridge height) should not exceed 6.0 metres, a dormer bungalow should not exceed 7.0 metres and the overall height of a house should not exceed 8.5 metres taken from the existing ground level at the front building line.



**No dwelling shall be erected unless:**

- b. It is designed with provision for garage accommodation for at least 2 cars and complies with Byelaw 9.

*NOTE. Conversion of an existing garage to use for residential purposes will require observance of Byelaw 10(b).*

*FOR GUIDANCE: Minimum internal dimensions:*

<i>Single garage</i>	-	<i>2.4m x 5m.</i>
<i>Tandem garage</i>	-	<i>2.4m x 11m.</i>
<i>Double garage</i>	-	<i>4.8m x 5m.</i>

- c. It is designed and built with materials compatible with the character and amenities of the Estate.

The Committee will continue to have regard to the impact on adjacent properties of any proposed construction or alteration.

- 11. GREENHOUSES with an aluminium or timber frame and timber GARDEN SHEDS (with flat or pitched felt roof) not exceeding externally 2.0 metres x 2.5 metres and an overall height of 2.5 metres may be erected to the rear of the approved building line provided they are at least 1.0 metre from any boundary. Open-sided roof structures fall within this remit.
- 12. STABLES, BYRES OR POULTRY HOUSES and the like shall not be erected within 6.0 metres of any dwelling and must also comply with all other relevant Byelaws.
- 13. BOUNDARY FINISHES (including GATES and all embellishments, lights etc) shall not exceed the heights measured from existing natural ground level as indicated below:-

Road Frontage Boundaries	-	1.5m
Building Line Boundary	-	2.0m
Boundaries to Rear of Building Line	-	2.0m
Entrance Structure	-	1.5m graded to 2.0m (inc. embellishments).

Front boundary finishes (including gates) which may be acceptable on pages 12 and 15 are restricted to a maximum height of 1.5m. To provide for an inset gate entrance, the 1.5m boundary wall should follow a uniformed gradient up to a maximum of 2.0m (inc. embellishments) at a point not less than 2m into the site.

On sloping sites, these measurements apply at all points i.e. stepped walls would be appropriate.

# DARRAS HALL ESTATE COMMITTEE

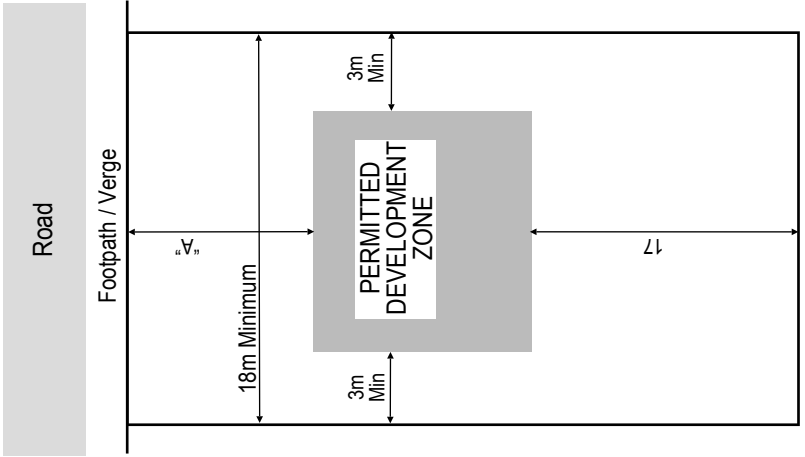


Fig. 1 "Normal" Plot

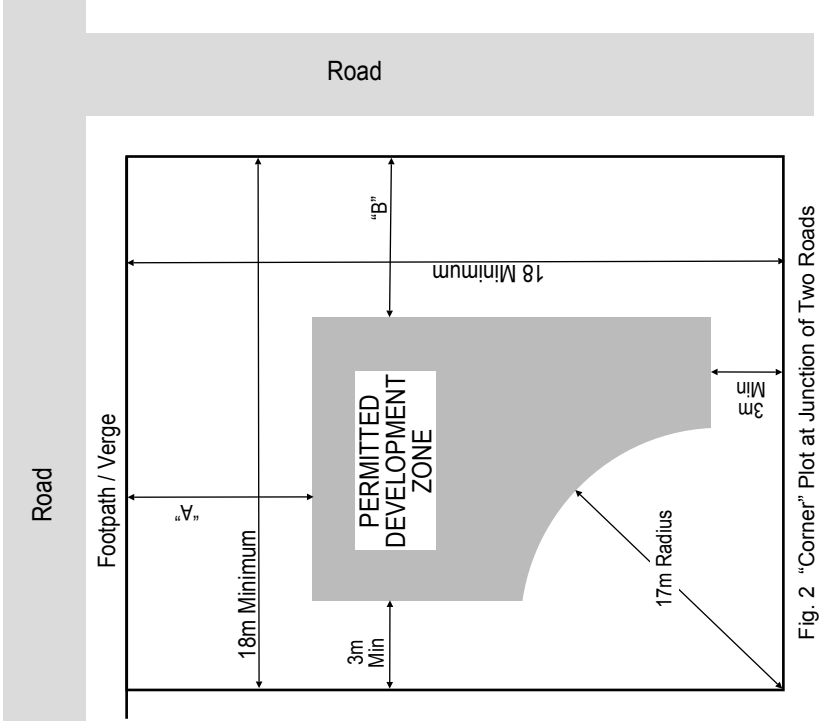


Fig. 2 "Corner" Plot at Junction of Two Roads

## All Dimensions are in Metres

Note: The "Building Line" dimensions "A" and "B" vary between 9 metres and 15.24 metres depending upon the particular road. Full information regarding the actual permitted dimensions for the road(s) in question is available at the Darras Hall Estate Office.

### Building Line

The front building line is measured from the front legal boundary of the property (NOT the kerb) to the nearest point of the building.

### Committee's Power of Discretion

The Committee will NOT exercise discretion when considering plans for new buildings – they must comply with the Byelaws in all respects. It is likely that discretion will be exercised for a second garage extending within the side space when it is to be attached to an EXISTING SINGLE garage. If a NEW double garage is proposed, it is unlikely to be approved if it does not comply with the Byelaws even though it replaces an old one which does not comply. Existing properties which do not comply do not necessarily set a precedent. Discretion will NEVER be exercised for living accommodation within the 3 metres side space.

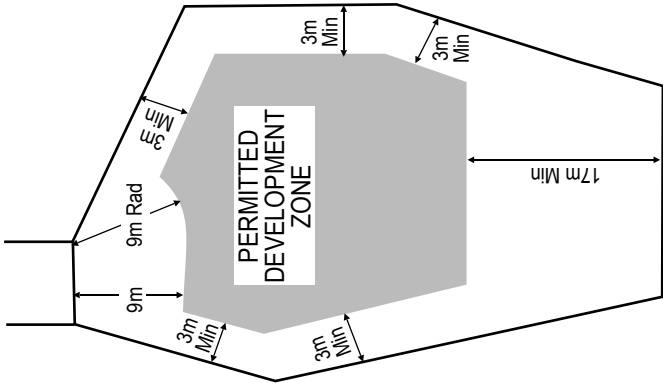


Fig. 3 Plot in "Hammerhead" of a Cul-de-Sac

## PERMITTED DEVELOPMENT

## BYELAWS · PART B – BUILDINGS AND STRUCTURES continued

In order to preserve the rural nature of the Estate as referred to in the Byelaw Introduction, where new fencing or walls are proposed to be erected, the Committee reserve the right of discretion in relation to the additional soft landscaping and front boundary treatment. For example, rendered boundary walls will not be looked at favourably. The Committee will encourage soft landscaping to be planted behind the wall or fence.

Land in front of the boundary is the property of Northumberland County Council and must remain grassed.

HEDGE HEIGHT - 2.0 metres

*Although the Committee specifies a 2m height limit for hedges, recourse for enforcement of this should be via the Northumberland County Council as this is a Government guideline.*

*Owners are responsible for maintaining trees and their boundary hedges.*

14. CONSERVATORIES may be erected to a building. However, if not fully complying with distances to boundaries, can only be erected subject to the following conditions:-
- a. Definition: A conservatory is a structure of glass or other translucent material on the sides and roof; it may have solid walls above ground floor level of a height not more than 600 mm.
  - b. On any building where a conservatory would breach the provisions of Byelaw 9(c), such a conservatory may have a maximum external dimension of 4 metres from the rear of the house.
  - c. A minimum distance of 13 metres to the rear boundary must be maintained.
  - d. That portion of the conservatory in breach of Byelaw 9(c) must not exceed 16.0 square metres in plan area.
  - e. The provisions of Byelaw 9(d) are not varied.
15. PORCHES shall not exceed an external measurement of 3 square metres unless complying with Byelaw 9(a), (c) and/or (d).

BAY WINDOWS shall not project beyond the face of the building by more than 1.0 metre and shall not exceed 2 square metres in external dimensions unless complying with Byelaw 9(a), (c) and/or (d).

## NOTES ON PART B

- a. **If there would be no material detriment** to abutting lands buildings or structures then the Committee may consider exercising its discretion to vary Byelaws 9(c) and/or 9(d) as follows:-

**Byelaw 9(c)** in respect of:

1. Greenhouses and garden sheds larger than those referred to in Byelaw 11.
2. Buildings or erections on corner sites provided there is a distance of 17.0 metres between any building or structure and the intersection of the site boundaries immediately opposite the angle formed by the intersection of the two roads.
3. Buildings or structures on other sites to the extent that they have an additional compensating distance from other boundaries which will be maintained to satisfy overall space standards.

**Byelaw 9(d)** in respect of:

1. Greenhouses and garden sheds larger than those referred to in Byelaw 11.
  2. Car ports and garages where there is no reasonable alternative location.
- b. Timber fences comprising post and rail, larch lap interwoven panels or ranch style horizontal board will normally be approved for other boundaries. All applications must comply with Byelaw 13. The Committee will not look favourably upon the removal of existing hedges.
- c. Stone or any other form of cladding to existing exterior walls is considered to be an alteration to the external appearance for which approval is required.
- d. Excavation and earth works, example swimming pool, covered or uncovered, require plans to be submitted showing construction, location and land survey in order to determine the impact on the water table.
- e. Plans submitted under PART B should be to a minimum scale of 1:100 together with a site and location plan to a scale not less than 1:2500 and must comply with Clause 1 or the First Schedule referred to in the Fourth Schedule of the Trust Deed. The requirements under PART C regarding drainage should be included on plans under PART B.
- f. Applicants/Owners will NOT have new projects considered whilst they are in rent arrears or dispute with regard to Breach of Covenant on any of their current or previous developments on the Estate. **Views and opinions of those in Breach of Covenant will not be considered when consulting on neighbouring matters or applications.**
- g. Breaches of Covenant will NOT be lifted on buildings, structures or construction until changes made to ensure compliance are completed and they are fully compliant with approved plans.

## **PLANS MUST SHOW:**

- i. Drawings to be submitted on a minimum scale of 1:100.
- ii. Plan of proposed building or erection showing external dimensions & foul & surface water drainage.
- iii. Provision for site set-up off highway.
- iv. Site plan showing adjacent existing buildings.
- v. Plan of existing buildings.
- vi. External dimensions of all buildings.
- vii. Minimum distances to building from all boundaries.
- viii. Building line and width of site at same.
- ix. Height above existing ground level at the front building line.
- x. Material and dimensions of boundary walls, fences and gates.
- xi. Materials and finishes of structure(s).
- xii. Ground floor area of building.
- xiii. Tree Preservation Orders.
- xiv. Identification of water courses.
- xv. Written confirmation from relevant authority that existing water table will not be affected in the event of subterranean excavation.
- xvi. Topography or ground level survey for new builds.
- xvii. Proposed and/or existing field drainage.
- xviii. Temporary front boundary fencing (painted green).
- xix. Details of any private access roads to be constructed.
- xx. Full specification for any proposed external energy saving/eco friendly new technology measures to be incorporated into the development.
- xxi. Landscaping proposals.

## **PLANS MUST BE ACCOMPANIED BY RELEVANT PAYMENT**

Please contact Estate Office for guidance.

If you amend plans after they have been approved, it is important that you gain approval for the revisions from both Northumberland County Council and the Darras Hall Estate Committee. The plans, after approval, are held on file at the Estate Office and if they do not accurately reflect the building, you may have problems when you put the property up for sale. It is important that both Northumberland County Council and the Estate Committee have the same plans on file.

We would remind you that if you intend to erect gate pillars and install gates, you must submit detailed plans showing dimensions and positions relative to your legal road frontage boundary. Your deeds will give precise details of your boundaries. The Byelaws provide necessary guidelines, but do not determine the boundaries of a property.

## **BYELAWS PART C – DRAINAGE OF BUILDINGS**

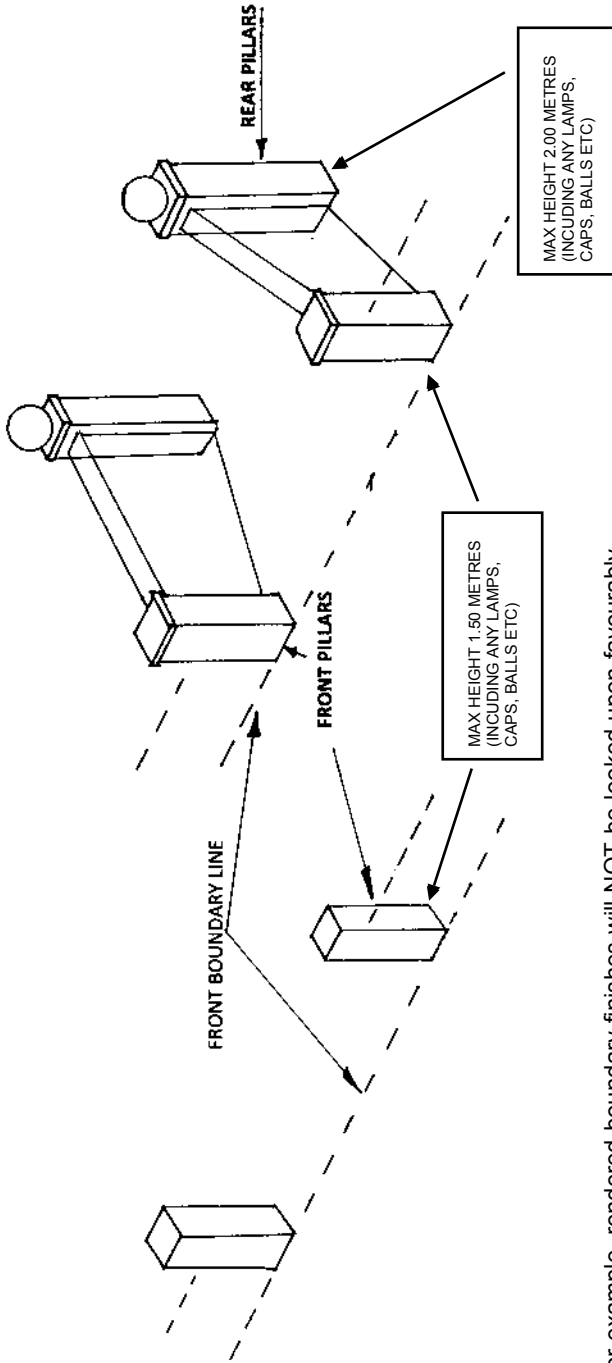
For regulating the drainage of buildings on the Estate.

16. All buildings shall have separate drainage systems for foul and surface water.
17. Foul drains shall be properly connected to a foul sewer maintained by the appropriate water and sewerage authority.
18. Surface water drains shall wherever possible be properly connected to a surface water drain and/or soakaway as required by the appropriate authority.
19. All drains shall be constructed of materials and at levels, which meet the standards, required by the appropriate water and sewerage authority.
20. Field or garden drains must NOT be connected to any foul or surface water drain or sewer.

### **NOTES ON PART C**

- a. If any surface water drains are to discharge into an existing water course or to a soakaway then the Committee will require written assurance that there will be no material detriment to any other lands on the Estate.
- b. Washing machines, dishwashers and other similar machines which create foul sewage must not be connected to any surface water drain or watercourse.

## Examples of Front Entrances for New and Existing Buildings



For example, rendered boundary finishes will NOT be looked upon favourably. In order to preserve the rural characteristics of the Estate, the Committee will encourage soft landscaping to be planted behind any road frontage finish.



## **Extract from Trust Deed**

14. No dwelling house shall be erected on the portions of the estate coloured round with blue on the said plan (being the lots numbered 69 to 79 inclusive) unless there shall be appropriated to the site of such house and to the outbuildings garden and yard held therewith a piece of ground of at least one-sixth of an acre in extent or on any other portion of the said 185 lots and lot 195 unless there shall be so appropriated a piece of ground of at least one-fourth of an acre in extent.
16. (19) They may from time to time make rescind or alter Byelaws for all or any of the following purposes namely:
- (a) For regulating the level width and construction of roads and footpaths on the estate and the provision to be made for the drainage thereof.
  - (b) For regulating the erection and alteration of buildings or structures on the estate and the employment therein of suitable and good materials of proper dimensions and
  - (c) For regulating the drainage of buildings on the estate.
- (20) They may cause to be prepared and circulated elevations of various types of dwellinghouses of which they approve.
- (21) They may do all such things as are incidental or conducive to the carrying out of the above-mentioned things or any of them.

### **The Fourth Schedule Form of Conveyance**

16. And the allottee doth hereby for himself and his assigns to the intent that and so that this covenant shall be binding on the said piece of ground hereby conveyed and every part thereof into whosoever hands the same may come covenants with the Trustees their heirs and assigns the owner or owners for the time being of the Darras Hall Estate that the allottee his heirs and assigns will at all times hereafter observe and perform the stipulations and regulations in relation to the said piece of ground and premises hereby conveyed which are contained in the First Schedule hereto and also will at all times hereafter comply with the Byelaws for the time being in force under the provisions of the Trust Deed.

## Extract from the First Schedule above referred to

1. No building or erection whatsoever shall be erected on the piece of ground conveyed by the above-written indenture unless a ground plan showing the position thereof and the provision for the drainage for both sewerage and surface water and in the case of a dwelling house the outbuildings garden and yard to be held therewith and plans sections and elevations showing the construction thereof and the materials to be employed in the construction thereof shall have been previously submitted to the Committee in duplicate and approved in writing by them. One copy of such plans sections and elevations shall be retained by the Committee and no building or erection whatsoever shall be erected on the said piece of ground unless in strict conformity with the plans sections and elevations approved by the Committee and no building or erection whether already existing or hereafter to be erected upon the said piece of ground shall be altered in external appearance **without the previous consent in writing of the Committee which consent the Committee shall be at liberty to withhold or to grant on such terms as they shall think fit. The expression "building or erection" used in this schedule shall include any boundary wall or fence.**
3. No building or erection of any kind excepting verandahs porches bay windows or similar structures or boundary fences to be in each case approved of by the Committee shall be erected on any portion of the said piece of ground which lies between the building line shown on the said plan annexed hereto and road aforesaid.
5. Except as to any part or parts thereof appropriated to a dwellinghouse or dwellinghouses erected in accordance with the foregoing clauses of this schedule and to the outbuildings garden and yards held therewith the said piece of ground shall not nor shall any part thereof be used for any purposes other than agricultural or horticultural purposes.
6. No road or footpath (other than a private approach to a dwellinghouse or a garden footpath) shall be made or laid on the said piece of ground or any part thereof without the previous consent in writing of the Committee who shall have absolute discretion as to the level width situation and mode of construction thereof and the provision for the drainage thereof.
7. No right of way or other easement shall at any time be granted or permitted or suffered to be made or used over the said piece of ground in favour of the owner or occupier of any land not forming part of the Darras Hall Estate nor shall any part of the said piece of ground be dedicated as a highway for the use of the public without the previous consent in writing of the Committee.
8. The said piece of ground shall not nor shall any part thereof nor shall any erection thereon be used for any purpose which in the opinion of the Committee shall be a nuisance damage grievance or annoyance to the owners or tenants of any of the adjoining property or to the neighbourhood

and in particular without restricting the generality of this clause the said piece of ground shall not nor shall any part thereof nor shall any erection thereon be used for a gaol inebriate home asylum for idiots lunatics or feeble-minded persons hospital for infections or contagious diseases sanatorium for consumptive or other patients homes for cripples workhouse slaughterhouse chemical works soap works tallow chandlery fried fish shop magazine for explosives rifle range churchyard or cemetery or for the sale of ale beer wine spirits or other intoxicating liquors or for a club where intoxicating liquors are permitted to be consumed or distributed or for the exhibition of advertisements (except that a notice to sell or let may be affixed to or exhibited upon a dwellinghouse but not upon any ground held therewith) or for the purpose of pigeon shooting matches or rabbit coursing and in the event of the breach of this clause the allottee his heirs or assigns shall pay to the Trustees their heirs or assigns a sum of £10 for every week or part of a week during which such breach shall continue such sum to be payable by way of liquidated damages and not by way of penalty but so that nothing in this clause contained shall prejudice the right of the Trustees their heirs or assigns to sue for or obtain an injunction to restrain or otherwise in respect of any such breach, provided that this present clause shall not be deemed to affect the operation or prejudice the effect of any other clause contained in this schedule.

11. The allottee his heirs or assigns shall not in any way obstruct or permit to be obstructed any stream or watercourse running through the said piece of land or any part thereof and shall not without the previous consent in writing of the Committee divert or permit to be diverted any such stream or watercourse.
16. The allottee his heirs and assigns shall maintain and keep open all subsoil drains and scour and keep clean all ditches and watercourses in or upon the said piece of ground and keep the said piece of ground free of weeds.

## Notes